

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARCIA KIMBLE,

Plaintiff,

v.

Case Number 23-10037

Honorable David M. Lawson

FIRST AMERICAN HOME WARRANTY  
CORPORATION and FIVESTRATA LLC,

Defendants.

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**ORDER GRANTING IN PART MOTION TO STAY AND SUSPENDING DEADLINES**

On July 27, 2023, the parties filed a joint motion (ECF No. 38) requesting that the Court stay case management deadlines because they have scheduled a mediation session for September 21, 2023. If mediation is unsuccessful, the parties state that they will return to their existing deadlines. The Court entered a scheduling order on March 21, 2023, which requires, among other things, that the plaintiff file a motion for class certification by September 11, 2023. However, it does not appear that any other case management deadlines would be affected by the late-September mediation session. The defendants have filed various motions to dismiss, but the time for responding to two of those motions, *see* ECF Nos. 12, 28, has passed. Responses to docket numbers 34 and 35 are due in a week. Rather than stay the deadlines in the scheduling order, the parties' needs can be addressed by extending certain deadlines.

Accordingly, it is **ORDERED** that the parties' joint motion to stay all deadlines pending mediation (ECF No. 38) is **GRANTED IN PART**.

It is further ordered that the plaintiff must file her motion for class certification and her responses to the motions to dismiss, ECF Nos. 34, 35, **on or before October 19, 2023**.

It is further **ORDERED** that the parties shall file a joint status report on the outcome of the mediation **no later than September 28, 2023**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: July 28, 2023